

- 2) 3:03-CV-2982, styled *Donald S. Bryant, Jr. and Linda M. Bryant, Trustees of the Bryant Family Trust, and the Bryant Family Trust v. Plains National Bank of Lubbock, Plains Capital Bank of Lubbock, Bank President Mark Griffin, all Board Members and Officers of these banks, and all Spouses of all of these persons*, also filed in the Dallas Division on December 15, 2003;
- 3) 3:04-CV-270, styled *Donald S. Bryant, Jr., Linda M. Bryant and the Bryant Family Trust v. FBI Director Robert Mueller, FBI Agent Michael Orndorff, the Lubbock Independent School District of Lubbock, Texas, Lubbock School Board President Mark Griffin, School Superintendent Wayne Havens, all Board Members of the Lubbock I.S.D., and all Spouses of all these persons*, filed in the Dallas Division on February 9, 2004;
- 4) 3:04-CV-271, styled *Donald S. Bryant, Jr., Linda M. Bryant, Trustees of the Bryant Family Trust, and the Bryant Family Trust v. U.S. Attorney General John Ashcroft, AUSA Roger McRoberts, Mark Griffin, the RIP Griffin Companies, Plains National Bank, Plains Capital Bank, all Officers of these companies, and all Spouses of all of these persons*, also filed in the Dallas Division on February 9, 2004; and
- 5) 3:04-CV-308, styled *Donald S. Bryant, Jr., Linda M. Bryant, Trustees of the Bryant Family Trust, and the Bryant Family Trust v. FBI Agent Michael Orndorff and Jerry Meyer*, filed in the Dallas Division on February 13, 2004.

The above-listed Dallas Division cases were all transferred to the Lubbock Division of the U.S. District Court for the Northern District of Texas. In addition to these five lawsuits, the Bryants originally filed two additional cases in the Lubbock Division, one of which is this lawsuit. Those two cases are:

- 6) 5:05-CV-34, styled *Donald S. Bryant, Jr. and Linda M. Bryant, Trustees of the Bryant Family Trust v. Plains National Bank of Lubbock, Plains Capital Bank of Lubbock, Bank President Mark Griffin, all Board Members and Officers of these banks, and all Spouses of all of these persons*, originally filed in the Lubbock Division on February 3, 2005; and
- 7) 5:05-CV-102, styled *Donald S. Bryant, Jr. and Linda M. Bryant v. FBI Agent Michael Orndorff*, originally filed in the Lubbock Division on May 12, 2005.

Similar to this suit, many of these lawsuits were filed against Plains National and Plains Capital banks, bank president Mark Griffin (who was also president of the Lubbock I.S.D. school board), the Plains banks' board members and officers, and all of these persons' spouses. The Plaintiffs were Mr. and Mrs. Bryant, individually and usually as trustees of the Bryant Family Trust. Additional common party-defendants were FBI Agent Michael Orndorff, FBI Director Robert Mueller, U.S. Attorney General John Ashcroft, the spouses of all of these persons, the Lubbock school district, the RIP Griffin Company, all board members and officers of all of these companies, as well as other named individuals.

Each and every one of these lawsuits arose out of the Bryants' grievances against Mark Griffin, bank officer Brendi Fennimore, FBI Agent Orndorff, and the other sued persons. The Bryants basically alleged multiple criminal conspiracies between Griffin, Lubbock school officials, Fennimore and other bank employees, Orndorff and other FBI personnel, and various other federal authorities to terminate Mrs. Bryant's school employment, to seize funds in the Bryant Family Trust bank accounts, to threaten the Bryants' lives, to put the Bryant family out of business and deny them their chosen employment, to harass them in violation of their federal civil rights, and to engage in numerous other alleged criminal acts.

For example, Plaintiffs alleged in this case that a criminal conspiracy existed wherein Fennimore forged unauthorized deposits by placing unauthorized, forged endorsements upon certain bank deposits into the Bryant Family Trust. Thereafter funds in the trust accounts were seized by the FBI pursuant to search warrants, allegedly as “drug money” being laundered through the Bryant family trust accounts. Plaintiffs have sought money damages and other relief in all of these lawsuits.

All of these lawsuits have been dismissed by entry of final adverse judgments. In the last Lubbock lawsuit against FBI Agent Orndorff – 5:04-CV-102 – civil sanctions were imposed upon the Plaintiffs because their suit was frivolous and barred by *res judicata*. The Court ordered Plaintiffs to pay \$500.00 in sanctions and barred them from filing any further federal complaints in the northern district without first obtaining leave of court. The judgment in that case is currently on appeal.

In this case, 5:05-CV-34, the Court has likewise ruled that all of the Plaintiffs’ claims against the banks, Mark Griffin, bank officer Fennimore, and the other sued party-defendants are barred by *res judicata*. Final judgment in the earlier suit, pursuant to which *res judicata* now acts to bar this case, was entered on January 7, 2005. Less than thirty (30) days later Plaintiffs filed this lawsuit, wherein they continue to assert the same conspiracy claims against the same party defendants.

Rule 11 sanctions are appropriate if a party asserts unreasonable legal arguments or makes numerous frivolous arguments to the court. *Villar v. Crowley Maritime Corp.*, 990 F.2d 1489, 1500 (5th Cir. 1993), *cert. denied*, 510 U.S. 1044, 114 S.Ct. 690, 126 L.Ed.2d 658 (1994). Rule 11 sanctions are also appropriate for “gross abuse of process.” *Nassau County Ass’n of Ins. Agents, Inc. v. Aetna Life & Cas. Co.*, 497 F.2d 1151 (2nd Cir.), *cert. denied*, 95 S.Ct. 232, 419 U.S. 968, 42 L.Ed.2d 184 (1974).

Repeatedly suing the same parties over and over, asserting the same factual claims and legal causes of action, after and in spite of the entry of multiple adverse final judgments against you, is harassment and a gross abuse of the judicial process. Filing a lawsuit which is both baseless because it is clearly barred by *res judicata* and made without a reasonable and competent inquiry into the law is frivolous for purposes of Rule 11 sanctions. *Townsend v. Holman Consulting Corp.*, 929 F.2d 1358, 1362 (9th Cir. 1990). For such repeated acts against the Defendants herein this Court will impose the following Rule 11 sanctions.

Plaintiff Donald Bryant, Jr. and Plaintiff Linda Bryant are to each pay \$500.00 in sanctions. These payments are to be made to the Clerk of the Court on or before twenty (20) days from the date of this Order.

Further, both Plaintiffs are hereby barred from filing any further federal complaints in the Northern District of Texas without first obtaining leave of court to do so.

It is SO ORDERED.

Signed this the 19th day of July, 2005.

/s/ Mary Lou Robinson

MARY LOU ROBINSON

UNITED STATES DISTRICT JUDGE